

## **REMARKS**

Claims 1-17 are pending. Claims 1-17 are rejected by the Examiner under 35 U.S.C. §103.

Applicants have cancelled claims 1-17 and have added claims 18-36. Applicants submit the following remarks and respectfully request reconsideration of the application.

### **Rejection Under 35 U.S.C. §103(a)**

In paragraph 3, claims 14-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Carpenter (U.S. Patent 6,199,068) in view of Cabrera (U.S. Patent 6,453,325).

Applicants have cancelled claims 14-17, so the rejection for claims 14-17 is moot.

In paragraph 4, claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carpenter (U.S. Patent 6,199,068) in view of Cabrera (U.S. Patent 6,453,325) and further in view of Kauffman (U.S. Patent 6,260,040).

Applicants have cancelled claims 1-13, so the rejection for claims 1-13 is moot.

Applicants have added claims 18-36.

Carpenter discloses a canonical mapper that translates data in an input format into an output format (Abstract). Carpenter does not teach or suggest use of metadata associated with data.

Cabrera discloses backup and restoration for a database system using a file manager. Cabrera in col. 9, lines 11-18 teaches using meta-data definition component for relational tables, column definitions, and their data types in the DBMS catalog. Cabrera

also, in col. 27, line 66 through col. 28, line 1, teaches that an action is required by the file manager “to ensure that its metadata reflects a file is linked and is in the proper file group.” Cabrera in col. 27, line 59 through column 28, line 5 in to teach metadata that can be used to describe the state and location of the data. However, these cited portions of Cabrera and Cabrera as a whole does not teach or suggest using metadata to indicate initiation of a transfer of the data and a successful transfer of the data as recited in claims 18 and 29.

Kauffman teaches a distributed client server system for managing and storing digital files. Kauffman also teaches metadata including a check-in status flag (abstract). However, Kauffman does not teach or suggest using metadata to indicate initiation of a transfer of the data and a successful transfer of the data as recited in claims 18 and 29.

### Conclusion

In view of the above remarks this application is in condition for allowance, and the Examiner is respectfully requested to allow this application. The Examiner is invited to call Applicants' representative at the number below if he has any questions or if there are remaining outstanding issues.

Respectfully submitted,

Kevin Wigger et al.

Date: 4/2/04

By: Eugene Kim

Eugene Kim, Reg. No. 46,267

Carr & Ferrell LLP

2200 Geng Road

Palo Alto, CA 94303

Phone: (650) 812-3400

Fax: (650) 812-3444